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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,886	09/19/2001	Fabrizio Panizzolo	163-345	9848

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EXAMINER

ILAN, RUTH

ART UNIT	PAPER NUMBER
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3616

DATE MAILED: 05/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)
	09/955,886	PANIZZOLO, FABRIZIO
	Examiner Ruth Ilan	Art Unit 3616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 05 February 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 10 and 13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1 and 3-10 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on 05 February 2003 is: a) approved b) disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Drawings

1. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on February 5, 2003 have been approved. A proper drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The correction to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-3, and 4-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Regarding claim 1, which recites in line 6 "there are provided two bevel-gear pairs housed in an arm..." and then recites in line 11 "a ring bevel gear (18), which meshes with a bevel pinion", and then further in line 15 "another bevel pinion (21), which in turn engages with a further ring bevel gear (23.) As previously discussed in the prior Office Action, these two pairs of gears have been introduced in claim 1, and as such it is unclear if further gears are intended, or if these gears are the same as the ones previously recited. Claim 4 recites, in line 2 recites "said casing comprises said arm (15, 115), and said input shaft ..." This is unclear, because it inaccurately implies that the input shaft is part of the casing. Based on the

previous version of claim 4 and the specification, it appears that the Applicant is intending to claim that one of the bevels is on the casing in the area of the input shaft. Regarding claim 6 "a transmission shaft" should be "the transmission shaft" since the shaft has already been introduced in claim 1.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, and 3-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sonnleitner et al. (DE 19908958 A1.) in view of Wildey (US 4,064,956.) Sonnleitner et al. teaches an engine half trolley (Figures 1 and 2) that includes a casing (8) from which there comes out at least one wheel hub (15) for a wheel (7). Also taught is an input shaft (5) connected to a differential (3) of the vehicle. In between the input shaft and the wheel hub are provided two bevel gear pairs (10,12 and 13,14) which are as claimed sets of gear pairs carried on first and second ends of a continuous shaft (11.) Sonnleitner et al. shows the casing (8) in schematic representation, and as such fails to disclose the claimed casing including the bevels in the claimed location. Wildey teaches a casing (38) for an engine half trolley including a bevel (at 110 see Figure 3) in the bottom area of the arm. The wheel hub is set on an extension (150) of the arm. Regarding claim 4, as best understood, a side area of the arm, at a location near the

input shaft includes a bevel (A, as noted by the Examiner in previously submitted Figure 3 of Wildey.) Regarding claims 5-7, the longitudinal axis of the arm coincides with the longitudinal axis of rotation of the transmission shaft, and the angle of rotation is approximately 15°, as previously noted in the first rejection. The angle of rotation is approximately 15° for the rotating shaft of Sonnleitner et al. as well. It would have been obvious to one having ordinary skill in the art at the time of the invention to provide the half-trolley of Sonnleitner et al. with the casing of Wildey, since Sonnleitner et al. provides only a schematic representation, in order to provide a casing that protects the moving parts from dirt during the travel of the vehicle. Regarding the bevels, the casing of Wildey uses such bevels in the claimed locations to most efficiently provide a housing for a ring gear in those locations. It would have been obvious to one having ordinary skill in the art at the time of the invention to include such bevels as taught by Wildey in the schematically represented casing of Sonnleitner et al. in order to provide for an efficiently shaped housing that protects the moving parts from road dirt. Regarding claim 6, Sonnleitner et al. does not specifically show bearings. The Examiner takes Official Notice that that rotating shafts generally include support bearings to maintain alignment of the shaft, and one of ordinary skill in the art at the time of the invention would understand that such bearings should be included with the rotating shaft of Sonnleitner et al. in view of Wildey. Regarding claim 9, Wildey does not specifically disclose a casting, however it is old and well known in the suspension art to cast one-piece constructions as a simple manufacturing method for one-piece constructions. It would have been obvious to one having ordinary skill in the art at the time of the

invention to cast the one-piece housing (38) of Wildey as an engineering design expedient.

Response to Arguments

6. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth Ilan whose telephone number is 703-306-5956. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 703-308-2089. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Ruth Ilan
Examiner
Art Unit 3616

RI
May 2, 2003

Ruth Ilan
5/2/03

Paul 5/5/03
PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600